

REMARKS

The present application was filed on March 29, 2001 with claims 1-27. In the outstanding Office Action, the Examiner: (i) rejected claims 1, 2, 7, 8, 11, 18, 19, 24 and 25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,460,023 to Bean et al (hereinafter "Bean"); (ii) rejected claims 3, 13 and 20 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of U.S. Patent No. 6,594,466 to Harned et al. (hereinafter "Harned"); (iii) rejected claims 4, 12 and 21 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of U.S. Patent No. 4,570,221 to Martens (hereinafter "Martens"); (iv) rejected claims 5 and 22 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of U.S. Patent No. 6,564,380 to Murphy (hereinafter "Murphy"); (v) rejected claims 6 and 23 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of U.S. Patent No. 6,397,219 to Mills (hereinafter "Mills"); (vi) rejected claims 9 and 26 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of Murphy and in further view of U.S. Patent No. 6,317,151 to Ohsuga et al. (hereinafter "Ohsuga"); (vii) rejected claims 10 and 27 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of Murphy and in further view of U.S. Patent No. 6,317,151 to Beckett (hereinafter "Beckett"); and (viii) rejected claims 14-17 under 35 U.S.C. §103(a) as being unpatentable over Bean in view of Beckett and in further view of Harned.

In this response, Applicants: (i) amend claims 1-25 to further clarify the claimed subject matter and/or to correct errors of a typographical nature; (ii) add new claim 28; (iii) traverse the various §102 and §103 rejections for at least the reasons given below; and (iv) propose a change to FIG. 3.

Regarding FIG. 3, Applicants attach a red-lined version of FIG. 3 indicating the proposed change. More specifically, Applicants have amended various reference numerals in FIG. 3 so as to make them consistent with the text describing FIG. 3 previously added by Applicants in a Preliminary Amendment dated March 29, 2001. Acceptance of the proposed drawing change is therefore requested.

Regarding the §102(e) rejection of claims 1, 2, 7, 8, 11, 18, 19, 24 and 25, Applicants believe that said claims are patentable over Bean since Bean fails to teach or suggest all of the limitations of said claims, and actually teaches away from the claimed invention.

By way of example, claim 1 recites a method of processing rich media content, comprising the steps of: (a) creating a multimedia content file from rich media content as a first input to an authoring tool; (b) creating a text based rich media content description file descriptive of the multimedia content file as a second input to the authoring tool; and (c) combining the multimedia content file and the text based description file as an composed file using the authoring tool. Claims 11, 14, 18 and 28 provide similar limitations. One advantage realized in accordance with the claimed invention, which overcomes problems specified in the background section of the present specification, is that the claimed invention permits rich media end users to understand file structures, add new content and/or modify stored content, even though the rich media is in a binary format (see present specification at page 2, lines 3-14).

Bean relates to authorization techniques for “metering the access and downloading of a piece of software or content from a site” (column 1, lines 7-9). While Bean mentions rich media and an authoring tool, these items are described in the context of an authorization system wherein “a developer may provide licensed software or content files to a customer” (column 2, lines 17-19).

The Office Action suggests that Bean teaches creating a text based description file descriptive of the rich media content file . . . as input to an authoring tool. More particularly, in support of the rejection, the Office Action states that “Bean discloses an authoring tool with a description file (HTML) as input.” However, as is clear from the description in Bean, “creator 34” is the authoring tool which is integrated with a Web page using HTML (see column 4, lines 63-65). Thus, it is not clear how this could teach the claimed limitation of creating a text based description file descriptive of the rich media content file . . . as input to an authoring tool.

Further, the Office Action suggests that Bean teaches combining the rich media content file and the description file . . . using the authoring tool. More particularly, in support of the rejection, the Office Action states that “Bean discloses the authoring tool integrated with a Web page.” However, again, it is unclear how this teaches the claimed limitation of combining the rich media content file and the description file since it is merely the authoring tool that Bean is describing as being integrated with a Web page.

Thus, nothing in Bean teaches or suggests “creating a multimedia content file from rich

media content as a first input to an authoring tool, creating a text based rich media content description file descriptive of the multimedia content file as a second input to the authoring tool, and combining the multimedia content file and the text based description file as an composed file using the authoring tool,” as in the claimed invention.

Applicants also assert that Bean actually teaches away from the claimed invention since Bean’s focus is on authorization techniques for metering the access and downloading of a piece of software or content from a site, and thus has nothing to do with the problems addressed by the claimed invention of permitting rich media end users to understand file structures, add new content and/or modify stored content, even though the rich media is in a binary format. Thus, one interested in attempting to address the problems addressed by the claimed invention would clearly not look to Bean to find a solution.

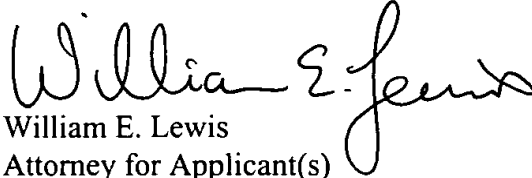
For at least these reasons, Applicants assert that independent claims 1, 11, 14, 18 and 28 are patentable over Bean.

Furthermore, Applicants assert that the claims that respectively depend from independent claims 1, 11, 14, 18, namely, claims 2-10, 12, 13, 15-17 and 19-27, are patentable over Bean and the various cited combinations involving Harned, Martens, Murphy, Mills, Ohsuga and Beckett not only for the reasons presented above with respect to the independent claims, but also because such dependent claims recite patentable subject matter in their own right.

Accordingly, withdrawal of the §102(e) and §103(a) rejections of the claims is respectfully requested.

In view of the above, Applicants believe that claims 1-28 are in condition for allowance, and respectfully request favorable reconsideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William E. Lewis". The signature is fluid and cursive, with the first name "William" being the most prominent.

Date: January 26, 2004

William E. Lewis
Attorney for Applicant(s)
Reg. No. 39,274
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-2946

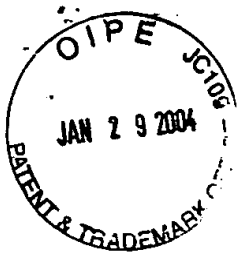


Fig. 3

